



City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3019914
Applicant Name: Sunny Ausink (Glotel Inc.)
Address of Proposal: 501 NE Ravenna Blvd

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new minor communication utility with 16 panel antennas, GPS unit and 6 equipment cabinets on the roof of existing apartment building (Verizon Wireless).

The following approval is required:

Administrative Conditional Use Review – to establish a minor communication utility in a Lowrise 3 (LR3) zone. (SMC 23.57.011.B)

BACKGROUND DATA

Site Location and Description

The subject property is developed with an apartment structure between 5th Ave NE & NE Ravenna Blvd in a residential areas between Green Lake & I-5. The immediate area and the subject site is zoned Lowrise 3 (LR3). The proposed telecommunication utilities will be located on the rooftop of an existing apartment building within a screened equipment platform.

Public Comment

The Department of Planning & Development received four public comment letters during the comment period which ended on April 12, 2015.

ADMINISTRATIVE CONDITIONAL USE

Seattle Municipal Code (SMC) 23.57.011B provides that a minor communication utility, as regulated pursuant to SMC 23.57.002, may be permitted in a Lowrise zone as an Administrative

Conditional Use when it meets the development standards of SMC 23.57.011C and the following criteria, as applicable.

- 1. The project shall not be substantially detrimental to the residential character of nearby residentially zoned areas, and the facility and the location proposed shall be the least intrusive facility at the least intrusive location consistent with effectively providing service. In considering detrimental impacts and the degree of intrusiveness, the impacts considered shall include but not be limited to visual, noise, compatibility with uses allowed in the zone, traffic, and the displacement of residential dwelling units.*

Verizon Wireless is proposing 16 new panel antennas, 16 remote radio heads (RRHs), and four (4) OVP units to be concealed within proposed FRP antenna shrouds. In addition, the applicant proposes outdoor equipment cabinets to be mounted on within a screened equipment platform on an existing rooftop. The antennas will be placed within proposed shrouds. This will reduce any visual impacts for the existing neighborhood. The shroud will resemble a feature of the building and will blend with the surroundings. This will not displace any residential dwelling units; and visits to the site will only occur for approximately monthly site visits having imperceptible impacts on traffic. These modifications and additions to the existing site will help provide additional capacity needed to provide seamless coverage to Verizon Wireless customers benefiting both residents and businesses in the area. The application includes a search ring analysis per DPD Director's Rule 19-2013. There were several properties within the applicant's search ring that are in more intensive zones than the subject site but the applicant either was not able to secure leases on these site or specific attributes of the sites did not meet the applicants needs for a new facility. Therefore, the proposed site is the least intrusive location consistent with effectively providing service per Director's Rule 19-2013.

Public comment is often received, expressing concern that radio frequency radiation from the proposed facility could be a detrimental impact. The applicant has submitted a "Personal Wireless Service Facility Applicant's Statement of FCC (Federal Communications Commission) Compliance" and "Non-ionizing Electromagnetic Radiation Report (NIER)" with engineering certification for this proposed facility giving the calculations of radiofrequency power density. The report was prepared by a Washington State licensed professional engineer. This complies with the Seattle Municipal Code Section 25.10.300 that contains Electromagnetic Radiation standards with which the proposal must conform. In 2013, pursuant to Senate Bill 1183, the Washington State legislature exempted most new and expanded minor telecommunication facilities of this scale from review under Washington's State Environmental Policy Act (SEPA). Furthermore, the FCC has pre-empted state and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions. As such, no mitigation measures are warranted.

- 2. The visual impacts that are addressed in section 23.57.016 shall be mitigated to the greatest extent practicable.*

The proposed minor communication utility will meet the standards of Section 23.57.016 and will mitigate visual impacts to the neighborhood consistent with those techniques presented. This includes the complete shrouding of all the new antennas and its accessory radio cabinets.

3. *Within a Major Institution Overlay District, a Major Institution may locate a minor communication utility or an accessory communication device, either of which may be larger than permitted by the underlying zone, when:*
- a.) the antenna is at least one hundred feet (100') from a MIO boundary, and*
 - b.) the antenna is substantially screened from the surrounding neighborhood's view.*

This criterion is not applicable as the proposal is not located within a Major Institution Overlay District.

4. *If the minor communication utility is proposed to exceed the zone height limit, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.*

SMC 23.57.011C allows minor communication antennas to exceed the zone height limit by 10 feet. The proposed antennas, equipment and their related shrouds/screening are proposed to be approximately 21'4" over the 30-foot zone height limit. The application documents that the goal is to add capacity to the network and optimize the performance of Verizon's 4G service and that this can only be achieved at the requested height. Therefore, the requested height is the minimum necessary for the effective functioning of the minor communication utility.

5. *If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction of a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.*

The proposed minor communication utility will not be a new freestanding transmission tower. Therefore, this criterion does not apply to the subject proposal.

SUMMARY

The proposed project is consistent with the Administrative Conditional Use criteria of the City of Seattle Municipal Code as it applies to wireless communication utilities. The proposal will be architecturally screened and integrated to the existing building. The proposed antenna's height shown is the minimum necessary to meet this coverage objective while creating a facility that blends with the physical surroundings. The facility is minor in nature and will not be detrimental to the surrounding area while providing needed and beneficial wireless communications service to the area.

The proposed project will not require the expansion of public facilities and services for its construction, operation and maintenance. Once installation of proposed antennas and equipment to the facility has been completed, occasional visits would occur for routine maintenance at a monthly site visit.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Administrative Conditional Use is **GRANTED**.

ADMINISTRATIVE CONDITIONAL USE CONDITIONS

None.

Signature: Betty Galarosa for Date: September 17, 2015
Maria Victoria G. Cruz, Land Use Planner
Department of Planning and Development

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.